

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FERNANDO A. MARRERO,

Petitioner,

Civil No. 2:06-CV-14458  
Honorable Patrick J. Duggan

v.

JEFF WHITE,

Respondent,

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**OPINION AND ORDER OF SUMMARY DISMISSAL**

Petitioner Fernando A Marrero (“Petitioner”), presently confined at the Ojibway Correctional Facility in Marenisco, Michigan, seeks the issuance of a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Prior to filing the pending petition, Petitioner sent written correspondence to Eastern District of Michigan Judge David M. Lawson. Judge Lawson forwarded Petitioner’s documents to the Clerk of the Court and directed that the documents be filed as a petition for writ of habeas corpus. The Clerk of the Court followed Judge Lawson’s directions and the documents were filed as Case No. 06-13953 on September 7, 2006, which was assigned to the Honorable Denise Page Hood. When Petitioner filed the pending petition on October 12, 2006, it was filed as an amended petition in Judge Hood’s case *and* as a separate matter, the case now assigned to this Court. Because the petition pending before this Court is the identical petition filed in Judge Hood’s case, this action will be dismissed without prejudice.

Accordingly,

**IT IS ORDERED**, that this action is **DISMISSED WITHOUT PREJUDICE**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Fernando Marrero, #177839  
Ojibway Correctional Facility  
N5705 Ojibway Road  
Marenisco, MI 49947-9771